

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BOARD OF REGENTS OF THE)
UNIVERSITY OF NEBRASKA,)
)
 Plaintiff,) 4:04CV3356
)
 v.)
)
 BASF CORPORATION,) MEMORANDUM AND ORDER
)
 Defendant,)
)
 and)
)
 MONSANTO COMPANY,)
)
 Intervening Plaintiff,)
)
 v.)
)
 SYNGENTA CROP PROTECTION,)
 INC.,)
)
 Intervening Defendant.)

IT IS ORDERED:

1. The unopposed motion of plaintiff, Board of Regents, to file an Amended Complaint, filing 163, is granted, and
 - a. The Board of Regent's Amended Complaint, a copy of which is attached to the filing 163 motion, shall be filed on or before January 19, 2007.
 - b. Since a party need not obtain leave to respond to a newly filed amended complaint, and since BASF's motion appears to address the Board of Regent's initial complaint and not the amended complaint, BASF's motion for leave to file an amended answer, defenses, counterclaims, and crossclaims in response to the Board of Regents complaint, filing 156, is denied as moot.
 - c. BASF's response to the Board of Regents' Amended Complaint shall be filed on or before January 29, 2007.

2. The unopposed motion of intervening plaintiff, Monsanto, to file a Second Amended Complaint in Intervention, filing 148, is granted, and

- a. Monsanto's Second Amended Complaint in Intervention, (see filing 144), shall be filed on or before January 19, 2007.
- b. The parties' response to Monsanto's Second Amended Complaint in Intervention shall be filed on or before January 29, 2007.

DATED this 11th day of January, 2007.

BY THE COURT:

s/ David L. Piester

David L. Piester
United States Magistrate Judge